UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/1993/SR.20/Add.1
20 December 1993

ENGLISH
Original: FRENCH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Eighth session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)* OF THE 20th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 28 May 1993, at 12.30 p.m.

Chairperson: Mr. ALSTON

CONTENTS

Organization of work (continued)

* The summary record of the first part (closed) of the meeting appears as document E/C.12/1993/SR.20.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.93-16796 (E)

The second part (public) of the meeting was called to order at 12.30 p.m.

ORGANIZATION OF WORK (agenda item 2) (continued)

141. The CHAIRPERSON introduced a document, to be circulated later, on the Committee's methods of work, in the light of the session's proceedings. In the case of most of the topics dealt with, it was a matter of confirming decisions already taken by the Committee.

142. The first paragraph concerned a point of procedure in regard to the adoption of concluding observations.

143. Paragraph 2 concerned a request for an additional session in 1994. In that connection, it was his intention to prepare a draft decision for the Economic and Social Council.

144. Paragraphs 3 to 5 concerned the day of general discussion at the eighth session. Attention was drawn to a draft decision recommending the Economic and Social Council to make the sum of US$ 10,000 available to the Committee at each session, to enable it to pay the travel and other costs of experts invited to participate in the day of general discussion.

145. Paragraph 6 referred to the use of the word "Chairperson" instead of "Chairman".

146. Paragraphs 7 to 10 concerned the amended procedure in the event of a State party's inability to present its report as scheduled. The paragraphs were largely descriptive, apart from the insert in paragraph 9 which constituted a change in the rules of procedure; it stated that, once a State party had agreed to the scheduling of its report for consideration by the Committee, the Committee would proceed with the examination of that report at the time scheduled even in the absence of a representative of the State party.

147. Paragraph 11 dealt with the question of the honorarium for Committee members. It would appear that the members of the two other Committees which had not so far received honoraria were to do so as soon as the relative instruments had been amended and the amendments had been accepted by the States parties. The Committee on Economic, Social and Cultural Rights would then be the only Committee whose members did not receive an honorarium. He had therefore added a sentence to the document to that effect and if, the members of the Committee agreed, would prepare a draft decision on the matter for the Economic and Social Council.

148. Paragraph 12 referred to the two general comments submitted but not yet discussed: one dealt with persons with disabilities and the other with non-discrimination.

149. Paragraph 13 dealt with the rescheduling of sessions.

150. Paragraph 14 concerned secretariat servicing; among other things it included a request for a detailed analysis to be prepared for each country.

151. Paragraph 15 proposed a restructuring of the secretariat in the medium term in order to enable the analyses referred to in the previous paragraph to be carried out. It was also proposed to establish a link with the UNHCR Centre for Documentation on Refugees. Lastly, the paragraph contained an expression of thanks to the Assistant Secretary-General for Human Rights for his efforts to establish a documentation unit.

152. Paragraph 16 reproduced the Committee's decision on NGO participation in its activities.

153. Paragraph 17 indicated that the Committee no longer wished the consideration of reports to be summarized in its annual report and that it would consider ways of ensuring the relevant summary records and other documentation were made more readily and widely available.

154. Paragraph 18 contained a request that the concluding observations relating to each country should be issued in a separate document and forwarded to the State party concerned immediately upon adoption.

155. There were two other matters which he would like to take up in the document.

156. First, the Committee had decided to consider at its tenth session the situation in four States parties which had not submitted an initial report since their accession to the Covenant, dating in each case from before 1980. The four States were: Mali, Mauritius, Guinea and Gambia. The purpose of listing them was to grant those States an additional year's delay and to enable the secretariat to send them a note requesting them to submit a report or at least to call on the advisory services of the Centre for Human Rights. Otherwise, the Committee would be compelled to act as had been decided.

157. Second, the World Summit for Social Development was to take place in 1995. In that context, the Committee hoped that the importance of the International Covenant on Economic, Social and Cultural Rights would be taken into account and that it would be invited to send a representative to take part not only in the Summit but also in the Preparatory Committee. He was not very optimistic in that regard, but the Committee should state clearly that it regarded it as important that it should participate in that event.

158. If he heard no objection, he would take it that the Committee wished to adopt the document which he had just introduced.

159. It was so decided.

160. Mrs. KLEIN-BIDMON (Representative of the Secretary-General) said that the secretariat would do its best to amend the schedule of the Committee's sessions and that the decision on holding an additional session depended on the Economic and Social Council. She also said that, given the amount of work that preparation of the analyses requested by the Committee would involve, the secretariat would not be able to start that task before the meeting of the next pre-sessional working group, planned for June. Nevertheless, the pre-sessional working group would already have most of the lists of issues to

be dealt with needed for the consideration of the reports planned for the Committee's next session. The secretariat could, however, produce an analysis for the only State for which a list of issues had not yet been prepared.

161. The CHAIRPERSON took it that, in other words, the secretariat was telling the Committee that it could do nothing to help it between now and the next meeting of the pre-sessional working group. He reminded the secretariat that an intern was already working for the Committee and could undertake the task of preparing the analyses for two or three countries. He also reminded the secretariat that he had already asked it to make another intern available to the Committee, for preparation of the other analyses which the pre-sessional working group would need. He drew Mrs. Klein-Bidmon's attention to the fact that the purpose of the analyses was not to supplement the lists of issues to be dealt with but to inform the members of the Committee as a group about all the available documents on the situation of the country concerned. That procedure was essential if there was to be a constructive dialogue with the representatives of States parties. Unfortunately, he was afraid it was unlikely that the secretariat as it stood could make any progress in that direction.

162. Mr. SIMMA considered that Belgium should also be included in the list of States whose situation was to be considered at the next session. Since that State had promised a report, consideration of it should not be indefinitely postponed, particularly since the consideration of the report of Suriname, which was in a similar situation, was apparently planned for the next session.

163. The CHAIRPERSON explained that Romania, Morocco and Iraq had submitted their reports well before Belgium. Consequently, if the schedule permitted and if the Committee had time to spare, it should first take up the reports of those countries and then that of Belgium. He asked the members of the Committee whether they wished to postpone consideration of the concluding observations on the situation in Lebanon.

164. Mr. GRISSA said he believed Lebanon would be able to prepare its definitive report more rapidly if the Committee adopted its concluding observations at the present session.

165. The CHAIRPERSON said that Mr. Grissa's remark raised an important question. Should the report submitted by Lebanon be regarded as that State's initial report or merely as a preliminary one? In his view, the report submitted by Lebanon was quite as good as many other initial reports submitted by other States. He would therefore be rather in favour of regarding it as Lebanon's initial report.

166. Mr. SIMMA thought the matter was too important to be discussed in a rush. Its consideration should therefore be postponed to the next session.

167. Mr. ALVAREZ VITA said that, according to the Committee's rules of procedure, the quorum was 12 members. It was unlikely the quorum would be reached at the next meeting. The Committee would therefore have to postpone the adoption of the concluding observations on the situation in Lebanon.

168. Mr. GRISSA said that the members of the Committee could hardly criticize States parties for not submitting their reports in time if they felt themselves free not to attend Committee meetings.

169. Mrs. JIMENEZ BUTRAGUEÑO asked why there was no reference, in the document on methods of work introduced by the Chairperson, to the analysis she had made of the problem of the elderly.

170. The CHAIRPERSON said that he would prepare a document on that subject for the Committee's next session.

The meeting rose at 1.10 p.m.